IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18554 of 2004

Between:

N. Venkateswara Rao, S/o. Koti Lingam,
R/o. Gandla Mitta, Tirupathi.

..... PETITIONER

AND

The Tirumala Tirupathi Devastanams, Tirupathi, Chittoor District,
Rep. by its Executive Officer.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the proceedings Roc. No.D7/17696/DEO/96 Dt. 7.11.2002 issued by the respondent as arbitrary, discriminatory and illegal and consequently set aside the same and direct the Respondent to appoint the Petitioner in any suitable post in Tirumala Tirupathi Devasthanams in terms of the order Dt. 8.8.2002 in WP.No.18966 of 1994, as has been done in respect of similarly situated employees and with all other consequential benefits, monetary or otherwise.

Counsel for the Petitioner:MR.V.JAGAPATHI

Counsel for the Respondent No.: SMT.P.SHARADA

The Court made the following :

ORDER:

The petitioner claims that he worked in the respondents-Devasthanam for some time

and subsequently he made requests to appoint him in a suitable post in the respondent-Devasthanam. He filed Writ Petition No.18966 of 1994 seeking a direction to the respondent to absorb him in any post. This Court passed an order on 08-08-2002 directing the respondent to consider the case of the petitioner for a suitable post in any of the establishments within a period of two months from the date of receipt of a copy of the said order. Subsequently, the respondent passed an order on 07-11-2002 rejecting the request of the petitioner for absorption in any post informing him that he does not fulfill the conditions stipulated in G.O.Ms.No.212 dated 22-04-1994. The petitioner being aggrieved by the said order preferred this Writ Petition seeking to declare the order of the respondent dated 07-11-2002 as arbitrary, discriminatory and illegal and consequently to direct the respondent to appoint the petitioner in a suitable post.

The learned Counsel for the petitioner submits that subsequent to the passing of the impugned order, the respondent considered cases of similarly placed persons including one P. Vijaya Bhaskara Reddy, who was a petitioner in W.P.No.5162 of 2001 on the file of this Court and others, therefore, the petitioner submitted a representation to the respondent on 03-09-2004. The learned Counsel for the petitioner therefore requested this Court to issue a direction to the respondent to consider the representation dated 03-09-2004 in the light of the recent development of considering the cases of similarly placed persons.

In the light of the circumstances explained by the petitioner, the respondent is directed to consider the representation of the petitioner dated 03-09-2004 keeping in view, the appointments, if any given to the similarly placed persons including Sri P. Vijaya Bhaskara Reddy, the petitioner in W.P.NO.5162 of 2001 and pass appropriate orders according to the rules, within three months from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of.

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Dr. G. Yethirajulu, J.

Dt:12th October, 2004.

Rns.

To

1 The Executive Officer,

Tirumala Tirupathi Devastanams,

Tirupathi, Chittoor District,

2. Two CD copies.